GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Home Department – Sri Korrapati Kesappa, Sub Divisional Police Officer, Tirupathi East Sub-Division, Chittoor, now working as DSP, Madanapalle, Annamayya District - Trapped on 28.03.2012 - Departmental action initiated - Enquiry conducted - Report received – Explanation submitted by the Charged Officer – Examined – Further action dropped – Orders – Issued.

HOME(SC.A)DEPARTMENT

G.O.Rt.No.25, **Dated:18-01-2024.**
Read the following:

1. From the Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad, Lr.Rc.No.54/RCT-TCT/2012-S.7, dt.18.04.2012 & 20.12.2012.
2. G.O.Rt.No.37, Home(SC.A)Department, Dated 07.01.2014.
3. From the Director General of Police, AP., Mangalagiri, Lr. Rc.No.568/O2/ 2012, dt.14.12.2021, 16.06.2022, 11.12.2022 & 21.04.2023.
4. Orders of the Hon'ble High Court of A.P. dated 23.03.2023 in W.P. No.7041/2023.
5. From the Secretary to Hon'ble CM, CMP No.6360/Secy.(DR)/2023, dt.13.09.2023 along with the representation of Sri K.Kesappa, DSP, Madanapalle, Annamayya District.

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ORDER:

In the reference 1st read above, the Investigation Agency has informed that Sri Korrapati Kesappa, Sub Divisional Police Officer, Tirupathi East Sub-Division, Chittoor was trapped by the Officials of Anti-Corruption Bureau when he demanded and accepted bribe of Rs.20,000/- from the complainant and handed it over to Sri C.B.N Guna Sekhar, Home Guard, for not taking any action on the complainant under SC/ST (POA) Act against him. After completion of investigation, the Director General, ACB, AP in his final report has stated that as per the oral and documentary evidence, the above allegation is substantiated. Hence, he has recommended to issue sanction order for prosecuting the Accused Officer Sri Korrapati Kesappa, (f) SDPO, Tirupati in a court of law under section 7 & 13(2) r/w 13(1)(d) of the Prevention of Corruption Act,1988.

2. In the reference 2nd read above, Government have issued orders to initiate Departmental action against the Accused Officer Sri K. Kesappa, SDPO, (f) Tirupathi East Sub-Division, Chittoor instead of Prosecution.

3. In the reference 3rd read above, the Director General of Police, Andhra Pradesh, Mangalagiri has informed that basing on the orders of the Government, Articles of Charge (Major PR) was issued to Sri K. Kesappa (f) SDPO, East Sub-Division, Tirupathi, now working as DSP,SC/ST Cell-II, Chittoor District vide Proceeding Rc.No.568/O2 /2012, dt.06-07-2016 for the following delinquency:

"During the tenure of the charged officer as SDPO, East Sub-Division, Tirupathi Urban a case in crime No.2/RCT-TCT/2012 was registered against him on the allegation of demand of bribe for doing an official favour to the complainant Sri Dinnepati Venkata Siddaiah. Further a trap laid by ACB and the charged officer was caught red handed when he demanded and accepted bribe of Rs.20,000/- from the complainant and handed it over to Sri C.B.N Guna Sekhar, Home Guard, for not taking any action on the complainant under SC/ST (POA) Act against him. The complaint under SC/ST (POA) Act was recovered from the office of the charged officer and it contained endorsement in G1/718/195/ Ptn/tpt(u)/2012 of S.P to DSP, East for N/A with date March, 25th along with a CD file in CR. No.339/2011, u/s. 420, 468, 471, 447, 427 & 506 r/w 34 IPC"

(P.T.O.)

4. The Charged Officer has denied the above charge, and the Deputy Inspector General of Police, Guntur Range, Guntur was appointed as Inquiry Authority vide proceedings Rc.No.568/O2/2012, dt.02.02.2021. On completion of a departmental inquiry, the Inquiry Officer has submitted his Report and Inquiry Officer held the charge as proved vide his report dt:02.02.2021.

5. The Director General Police, Andhra Pradesh, Mangalagiri has communicated the Inquiry Report to the Charged Officer for calling his final explanation vide Proceedings dated 14.10.2021. The Charged Officer has submitted his explanation on 15.11.2021 by denying the allegations against him and requested to exonerate the charge and further action may be dropped against him in O.E.

6. The Disciplinary Authority, i.e., the Director General Police, Andhra Pradesh has proposed to impose the punishment of "Reduction in time scale of pay by two stages for two years with effect on future increments and pension against Sri K.Kesappa, (f) DSP, SC/ST Cell-2, Chittoor District by treating the suspension period from 28-03-2012 to 15-06-2013 as not on duty", as the charge s held as "Proved" in the Inquiry.

7. In the reference 4th read above, Sri K.Kesappa, (f) SDPO, Tirupathi has filed W.P. against the Proceeding Rc.No.568/O2/2012, dt.05.10.2021 (Enquiry Report). The Hon'ble High Court of AP in its orders dated 23.03.2023 in W.P. No.7041/2023 has ordered as follows:

> In view of the same, there shall be an interim direction directing the 2nd respondent (i.e. DGP, AP) herein to follow the Procedure Contemplated under CCA Rules, 1991 before issuing Consequential Proceedings.

8. Government after careful examination, have noticed that while 3 witnesses LW.3 to LW.6 have turned hostile and however the charge was held proved by Enquiry Officer. The inconclusiveness of the statements has been attributed by E.O. to the charged officer merely on the basis of presumptions, but there is no material with the E.O. to presume so. As far as the procedural aspect of the enquiry is concerned, there is no material departure in the prescribed procedure during the enquiry. As there are no extreme gravity of the charge to impose punishment, it has been decided to drop further action against the Accused Officer Sri K.Kesappa, (f) SDPO, Tirupathi, now working as DSP, Madanapalle, Annamayya District in the departmental inquiry contemplated vide G.O.Rt.No.37, Home(SC.A) Department, dt:07.01.2014.

9. Accordingly, Government, hereby order to drop further action against Sri K.Kesappa, (f) SDPO, Tirupathi, now working as DSP, Madanapalle, Annamayya District, duly treating the suspension period from 28.03.2012 to 15.06.2013 **as "not on duty".**

10. The Director General of Police, Andhra Pradesh, Mangalagiri is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri K.Kesappa, DSP, Madanapalle, Annamayya District,
through Director General of Police, A.P., Mangalagiri.
The Director General of Police, Andhra Pradesh, Mangalagiri.
Copy to:
The Director General, Anti Corruption Bureau, A.P., Vijayawada.
The AP Vigilance Commission, AP Secretariat, Velagapudi.
The Secretary to C.M., CMO, AP Secretariat, Velagapudi.
The Home(Services-1) Department.
SF/SC.

//FORWARDED::BY ORDER //

K. Padmavathi
SECTION OFFICER(SC)